

Exhibit “A”

FILED IN OFFICE
CLERK OF STATE COURT
LIBERTY COUNTY, GEORGIA
STSV2018000130
JO
JUL 16, 2018 01:41 PM

STATE COURT OF LIBERTY COUNTY
STATE OF GEORGIA

DENEEN MARTIN,

Plaintiff,

vs.

WALMART STORES EAST, LP,

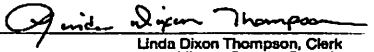
Defendants.

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CIVIL ACTION

FILE NO: _____

JURY TRIAL DEMANDED


Linda Dixon Thompson, Clerk
Liberty County, Georgia

COMPLAINT AND DEMAND FOR TRIAL BY JURY

COMES NOW Plaintiff Deneen Martin, and states her complaint against Defendant Walmart Stores East, LP as follows:

PARTIES AND JURISDICTION

1.

Plaintiff Deneen Martin is a citizen and resident of the State of Georgia.

2.

The incident that is the subject of the present case occurred at Defendant's Walmart store No. 862 located at 751 West Oglethorpe Highway, Hinesville, Liberty County, Georgia 31313.

3.

Defendant Walmart Stores East, LP is a for profit foreign corporation authorized to do business in the State of Georgia, with its principal office located in Cincinnati, Ohio, and is subject to the jurisdiction of this Court. Defendant Walmart Stores East, LP maintains offices and transacts business in Liberty County, Georgia, the county in which this cause of action originated. Venue as to this Defendant is proper in Liberty County, Georgia pursuant to O.C.G.A. § 14-2-510 as the tortuous conduct alleged herein occurred in Liberty County,

Georgia. Defendant Walmart Stores East, LP may be served by issuing Summons and a second original of this Complaint to its registered agent for service, Corporation Process Company 2180 Satellite Blvd. Suite 400, Duluth, Gwinnett County, Georgia 30097.

4.

Venue in the present case is proper in Liberty County, Georgia.

FACTUAL ALLEGATIONS

5.

Plaintiff realleges and incorporates herein by reference paragraphs 1 through 4 above as if they were restated verbatim.

6.

At all times material hereto, the Defendant Walmart Stores East, LP owned and/or operated the property located at 751 West Oglethorpe Highway, Hinesville, Liberty County, Georgia 31313. As such, Defendant possessed said property with the intent to occupy and control it and held it open to the public for business purposes.

7.

On July 29, 2016, Walmart Stores East, LP was in legal possession of the premises located at 751 West Oglethorpe Highway, Hinesville, Liberty County, Georgia 31313.

8.

Based upon information and belief, on or about July 29, 2016, Defendants were operating a retail store on the premises located at 751 West Oglethorpe Highway, Hinesville, Liberty County, Georgia 31313.

9.

On or about July 29, 2016, Plaintiff entered said premises for the purpose of purchasing

goods from the subject retail store.

10.

On or about July 29, 2016, upon entering said premises, Plaintiff assumed the legal status of an invitee as the term is defined under Georgia Law.

COUNT I – NEGLIGENCE OF DEFENDANT

11.

Plaintiff realleges and incorporate herein by reference paragraphs 1 through 10 above as if they were restated verbatim.

11.

On July 29, 2016, Plaintiff was an invitee at the Walmart store located at 751 West Oglethorpe Highway, Hinesville, Liberty County, Georgia 31313.

12.

Plaintiff was walking through the subject Walmart when she slipped on a liquid substance on the floor and suffered personal injuries.

13.

At all relevant times, it is believed that the Defendant owned and managed the subject Walmart and owed a legal duty of reasonable care to invitees to inspect and keep the premises in a safe condition and to warn Plaintiff of hidden dangers or defects that were not discoverable in the exercise of reasonable care.

14.

At all relevant times, Defendant, by and through its employees, had actual or constructive knowledge of the hazardous condition of the liquid substance prior to Plaintiff fall.

15.

At all relevant times, Plaintiff had no knowledge of the unsafe and dangerous condition of the aisle in the subject Walmart and it was not discoverable by her in the exercise of reasonable care.

16.

At all relevant times, Plaintiff exercised reasonable care for her own safety.

17.

At all relevant times, Defendant breached its duty of reasonable care as follows:

- a) Defendant failed to inspect the premises for dangerous conditions;
- b) Defendant failed to warn patrons of a dangerous condition it knew or should have known existed on the premises; and
- c) Defendant failed to clean up said dangerous condition when it knew or should have known it existed.

18.

As a result of the foregoing, Defendant breached its legal duty to Plaintiff in violation of O.C.G.A § 51-3-1.

19.

As a direct and proximate result of the aforesaid breaches of duty and negligence by Defendant, Plaintiff suffered personal injuries, including but not limited to an injury to her lower back. Additionally, Plaintiff suffered damages including past medical expenses in excess of \$197,368.80 in past medical expenses and past and future mental and physical pain and suffering.

19.

By reason of the foregoing, Plaintiff is entitled to recover compensatory damages from Defendant in an amount to be proven at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays and demands as follows:

1. That Process and Summons issue, as provided by law, requiring defendants to appear and answer Plaintiff's Complaint;
2. That service be had upon defendants as provided by law;
3. That the Court award and enter a judgment in favor of Plaintiff and against defendants for compensatory damages in an amount to be proven at trial;
4. That Plaintiff have a trial by a jury as to all issues; and,
5. That Plaintiff have such other and further relief as the Court may deem just and proper.

This 16th day of July, 2018.

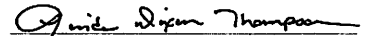


Seth M. Diamond
Georgia Bar No. 220393
Attorney for Plaintiff

MORGAN & MORGAN
25 Bull Street
Suite 400
Savannah, Georgia 31401
T: (912) 443-1012
F: (912) 443-1192

**STATE COURT OF LIBERTY COUNTY
STATE OF GEORGIA**

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Liberty County, Georgia

CIVIL ACTION NUMBER STSV2018000130

Martin, Deneen

PLAINTIFF

VS.

Walmart Stores East, LP

DEFENDANT

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

**Seth Diamond
Morgan and Morgan
25 Bull Street
Suite 400
Savannah, Georgia 31401**

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 16th day of July, 2018.

Clerk of State Court


Linda Dixon Thompson, Clerk
Liberty County, Georgia

Exhibit “B”



GEORGIA
CORPORATIONS DIVISION

GEORGIA SECRETARY OF STATE

BRIAN P. KEMP

[HOME \(/\)](#)**BUSINESS SEARCH****BUSINESS INFORMATION**

Business Name: **WAL-MART STORES EAST, LP
(DELAWARE)** Control Number: **0150520**

Business Type: **Foreign Limited Partnership** Business Status: **Active/Compliance**

Business Purpose: **NONE**

Principal Office Address: **708 SW 8th Street, Bentonville, AR,
72716, USA** Date of Formation / Registration Date: **11/16/2001**

Jurisdiction: **Delaware** Last Annual Registration Year: **2018**

Principal Record Address: **NONE**

REGISTERED AGENT INFORMATION

Registered Agent Name: **C T Corporation System**

Physical Address: **289 S Culver St, Lawrenceville, GA, 30046-4805, USA**

County: **Gwinnett**

GENERAL PARTNER INFORMATION

Name	Title	Business Address
WSE MANAGEMENT,, LLC	General Partner	708 SW 8th Street, Bentonville, AR, 72716, USA

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Exhibit “C”

Department of State: Division of Corporations

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Entity Details

THIS IS NOT A STATEMENT OF GOOD STANDING

File Number: 3455670 **Incorporation Date /** 11/9/2001
Formation Date: (mm/dd/yyyy)

Entity Name: WSE MANAGEMENT, LLC

Entity Kind: Limited Liability Company **Entity Type:** General

Residency: Domestic **State:** DELAWARE

REGISTERED AGENT INFORMATION

Name: THE CORPORATION TRUST COMPANY
Address: CORPORATION TRUST CENTER 1209 ORANGE ST
City: WILMINGTON **County:** New Castle
State: DE **Postal Code:** 19801
Phone: 302-658-7581

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

Would you like ☐ Status ☐ Status, Tax & History Information

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Exhibit “D”

Department of State: Division of Corporations

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Entity Details**THIS IS NOT A STATEMENT OF GOOD STANDING**

File Number: 3455667 **Incorporation Date / Formation Date:** 11/9/2001 (mm/dd/yyyy)

Entity Name: WSE INVESTMENT, LLC

Entity Kind: Limited Liability Company **Entity Type:** General

Residency: Domestic **State:** DELAWARE

REGISTERED AGENT INFORMATION

Name: THE CORPORATION TRUST COMPANY

Address: CORPORATION TRUST CENTER 1209 ORANGE ST

City: WILMINGTON **County:** New Castle

State: DE **Postal Code:** 19801

Phone: 302-658-7581

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

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Exhibit “E”



ARKANSAS
SECRETARY OF STATE

Mark Martin

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LLC Member Information is now confidential per Act 865 of 2007

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Corporation Name	WAL-MART STORES EAST, LLC
Fictitious Names	
Filing #	800192618
Filing Type	Limited Liability Company
Filed under Act	Domestic LLC; 1003 of 1993
Status	Good Standing
Principal Address	702 SW 8TH STREET MS#0215 BENTONVILLE, 72716
Reg. Agent	THE CORPORATION COMPANY
Agent Address	124 WEST CAPITOL AVENUE SUITE 1900 LITTLE ROCK, AR 72201
Date Filed	01/25/2011
Officers	MICHAEL MOORE , Manager ANTHONY WALKER , Manager RICKY YOUNG , Tax Preparer JEFF DAVIS , Manager GORDON ALLISON , Manager GORDON Y ALLISON , Incorporator/Organizer
Foreign Name	N/A
Foreign Address	
State of Origin	N/A
Purchase a Certificate of Good Standing for this Entity	Pay Franchise Tax for this corporation



ARKANSAS SECRETARY OF STATE

Mark Martin

Search Incorporations, Cooperatives, Banks and Insurance Companies

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For service of process contact the [Secretary of State's office](#).

Corporation Name	WAL-MART STORES, INC.
Fictitious Names	BUD'S DISCOUNT CITY BUD'S WAREHOUSE OUTLET BUD'S WAREHOUSE OUTLET FORT SMITH REMARKETING SAM'S CLUB SAM'S WHOLESALE CLUB WAL-MART WAL-MART AVIATION WAL-MART EXPRESS WAL-MART NEIGHBORHOOD MARKET WAL-MART NEIGHBORHOOD MARKET WAL-MART SUPERCENTER WAL-MART SUPERCENTER WAL-MART SUPERCENTER WAL-MART SUPERCENTER #1147 WAL-MART SUPERCENTER #8 WAL-MART VACATIONS WALTON LIFE FITNESS CENTER
Filing #	100067582
Filing Type	Foreign For Profit Corporation
Filed under Act	For Bus Corp; 958 of 1987
Status	Good Standing
Principal Address	
Reg. Agent	THE CORPORATION COMPANY
Agent Address	124 WEST CAPITOL AVENUE SUITE 1900 LITTLE ROCK, AR 72201
Date Filed	03/31/1970
Officers	SEE FILE, Incorporator/Organizer RICKY YOUNG, Tax Preparer DOUGLAS MCMILLON, President JEFFREY J GEARHART, Secretary ANTHONY WALKER, Vice-President CLAIRE BABINEAUX-FONTENOT, Treasurer STEVEN P WHALEY, Controller
Foreign Name	N/A
Foreign Address	702 SW 8TH STREET BENTONVILLE, 72716
State of Origin	DE
Purchase a Certificate of Good Standing for this Entity	Pay Franchise Tax for this corporation